



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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Division Director

June 10, 2003

Bruce Mitchell  
Sawtooth Stone, LLC  
2104 South 100 East  
Oakley, Idaho 83346

Re: Acceptance of Notice of Intention to Commence Small Mining Activities, Sawtooth Stone, LLC., Sawtooth Stone #1 Quarry, S/003/067, Box Elder County, Utah

Dear Mr. Mitchell:

On April 28, 2003, the Division responded to your original Notice of Intention for the Sawtooth Stone #1 quarry, which the Division received on March 21, 2003. The proposed project is located in Box Elder County, Utah. This response identified deficiencies that would need to be addressed prior to the Division's acceptance of your notice. A site inspection on May 29, 2003 clarified these deficiencies as noted:

R-647-3-105 Project Location

The location of the project was incorrectly drawn on your map. A new map has been generated which shows the correct location of this project (copy enclosed).

R647-3-106 Operation Plan

The map shows access to the two proposed quarry areas. Approximately 0.1 acre of the access will be new road construction (330 feet by 14 feet wide).

R647-3-110 Variance Request

Your requested variance for item # 10 – Stockpile Topsoil and Suitable Overburden. This variance is hereby **approved**. The inspection confirmed that topsoil materials in the areas to be mined are virtually non-existent, occurring in small pockets. You indicated that reasonable efforts to salvage these pockets of soil will be made. Waste materials will be used for the final surface. They will be amended with composted manure to help them support the requisite vegetation.

Your requested variance for item # 11 – Regrading. This variance is ***not approved*** at this time. You have expressed interest to leave pad areas for a post-mining land use other than the current land use. Your plan states that highwalls will be reduced to a 3h:1v. slope to the extent possible. This would not require a variance. To leave pad areas for future use, will require a variance. The Division is supportive of your alternative use. However, before the Division will approve this variance, you will need to obtain necessary building permits, zoning changes and provide evidence that the intended use is viable (i.e. contract for the product). This does not need to occur until mining is completed and your are ready to reclaim.

Your requested variance for item # 12 – Seedbed Preparation. This variance will apply only to areas needed for the proposed post mining land use. As stated earlier, the Division will consider this variance at the time of reclamation, assuming that the proposed land use is viable. Therefore, this variance is ***not approved*** at this time.

Before we could grant acceptance of the notice, we had to receive clearance from the Utah Division of State History that no historical or archaeological properties were in the area of the proposed operation. State History informed us that no known properties have been recorded because no surveys have been conducted in this area.

The application is considered complete and no additional information is required by the Division at this time. **You may commence with your mining operations as outlined. Please be advised that if you encounter any archaeological or historical concerns, you are to immediately cease operations and notify this office and State History of your find.**

In accordance with the requirements of Rule R647-3-105, regarding the project location and disturbed area identification on a topographic map, ***the Division also requires the operator mark the proposed/actual disturbed area boundary (including access/haul roads) in the field with metal T-Posts (or other suitable, fixed markers) to assure that operations do not exceed the five acre limitation of this permit.*** Markers must be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

The acceptance of this notice is for a small mining operation only, **not to exceed five acres.** Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

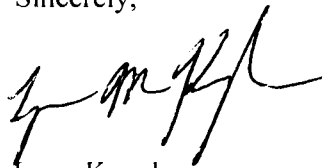
The Utah Mined Land Reclamation Act of 1975 [40-8-7(I)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 2002, and annually thereafter, the fees were increased to \$150.00 for small mining notices.

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For your reference, I have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a minesite (SMO-summary). Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Kunzler', with a stylized flourish at the end.

Lynn Kunzler  
Senior Reclamation Biologist

jb  
Enclosure: SMO summary. inspection report w/GPS generated map  
O:\M003-Box Elder\S0030067-Sawtooth Stone\final\apvl-06102003.doc